



**6712-01**

**FEDERAL COMMUNICATIONS COMMISSION**

**47 CFR Part 73**

**[MB Docket No. 19-18; RM-11823; DA 19-44]**

**Television Broadcasting Services Gadsden and Hoover, Alabama**

**AGENCY:** Federal Communications Commission.

**ACTION:** Proposed rule.

**SUMMARY:** At the request of ION Media License Company, LLC. (ION), licensee of television station WPXH-TV, channel 45, Gadsden, Alabama (WPXH), the Commission is proposing to amend the DTV Table of Allotments by changing WPXH's community of license from Gadsden to Hoover, Alabama. ION asserts that the proposed reallocation is consistent with the Commission's second allotment priority by providing Hoover with its first local transmission service. ION also asserts that the proposed reallocation will not deprive Gadsden of its sole broadcast station because it will continue to be served by station WPXH-TV, licensed to Trinity Christian Center of Santa Ana, Inc. on channel 26 at Gadsden.

**DATES:** Comments must be filed on or before **[INSERT DATE 15 DAYS AFTER DATE OF PUBLICATION IN THE FEDERAL REGISTER]** and reply comments on or before **[INSERT DATE 25 DAYS AFTER DATE OF PUBLICATION IN THE FEDERAL REGISTER]**.

**ADDRESSES:** Federal Communications Commission, Office of the Secretary, 445 12th Street, SW, Washington, D.C. 20554. In addition to filing comments with the FCC, interested parties should serve counsel for petitioner as follows: ION Media License Company, LLC, c/o Terri McGalliard, 601 Clearwater Park Road, West Palm Beach, Florida 33401.

**FOR FURTHER INFORMATION CONTACT:** Darren Fernandez, Media Bureau, at [Darren.Fernandez@fcc.gov](mailto:Darren.Fernandez@fcc.gov); or Joyce Bernstein, Media Bureau, at [Joyce.Bernstein@fcc.gov](mailto:Joyce.Bernstein@fcc.gov).

**SUPPLEMENTARY INFORMATION:** This is a synopsis of the Commission's *Notice of Proposed Rulemaking*, MB Docket No. 19-18; RM-11823; DA 19-43, adopted February 5, 2019, and released February 5, 2019. In addition to the proposed reallocation, ION requests waivers of § 73.625(a)(1) of the Commission's rules, 47 CFR 73.625(a)(1) and the Commission's freeze on the filing of petitions for digital channel substitutions. The full text of this document is available for public inspection and copying during normal business hours in the FCC's Reference Information Center at Portals II, CY-A257, 445 12th Street, SW, Washington, DC, 20554, or online at <http://apps.fcc.gov/ecfs/>. To request materials in accessible formats (braille, large print, computer diskettes, or audio recordings), please send an email to [FCC504@fcc.gov](mailto:FCC504@fcc.gov) or call the Consumer & Government Affairs Bureau at (202) 418-0530 (VOICE), (202) 418-0432 (TTY).

This document does not contain information collection requirements subject to the Paperwork Reduction Act of 1995, Pub. Law 104-13. In addition, therefore, it does not contain any proposed information collection burden "for small business concerns with fewer than 25 employees," pursuant to the Small Business Paperwork Relief Act of 2002, Pub. Law 107-198, *see* 44 U.S.C. 3506(c)(4). Provisions of the Regulatory Flexibility Act of 1980, 5 U.S.C. 601-612, do not apply to this proceeding.

Members of the public should note that all *ex parte* contacts are prohibited from the time a notice of proposed rulemaking is issued to the time the matter is no longer subject to Commission consideration or court review, *see* 47 CFR 1.1208. There are, however, exceptions to this prohibition, which can be found in § 1.1204(a) of the Commission's rules, 47 CFR 1.1204(a).

See §§ 1.415 and 1.420 of the Commission's rules for information regarding the proper filing procedures for comments, 47 CFR 1.415 and 1.420.

List of Subjects in 47 CFR Part 73

Television.

FEDERAL COMMUNICATIONS COMMISSION.

Barbara Kreisman  
Chief, Video Division, Media Bureau.

### **Proposed Rule**

For the reasons discussed in the preamble, the Federal Communications Commission proposes to amend 47 CFR part 73 as follows:

#### **PART 73--RADIO BROADCAST SERVICES**

1. The authority citation for part 73 continues to read as follows:

**Authority:** 47 U.S.C. 154, 155, 301, 303, 307, 309, 310, 334, 336, and 339.

#### **§ 73.622 [Amended]**

2. Section 73.622(i), the Post-Transition Table of DTV Allotments under Alabama, is amended by removing Gadsden, channel 45, and adding, in alphabetical order, Hoover, channel 45.

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